

Louisiana Law Review

CONTENTS

Issue Number 1

ARTICLES

- THE 21ST JOHN M. TUCKER, JR. LECTURE IN CIVIL
LAW Interpretation and Application of the Civil Code
and the Evaluation of Judicial Precedent
James L. Dennis 1

- Louisiana's New Divorce Legislation: Background and
Commentary
Kenneth Rigby
Katherine Shaw Spaht 19

- The Three Faces of ORPP: Value Clashes in the Law
Richard K. Greenstein 95

- Redhibition and Implied Warranties Under the 1993 Revision
of the Louisiana Law of Sales
George L. Bilbe 125

- The Internal Revenue Code's Assault on Buy-Sell
Agreements
Mark R. Siegel 149

NOTES

- White v. Illinois* and the "Hearsay Clause" of the
Sixth Amendment
Hansel M. Harlan 177

- The Left-For-Dead Fiction of Corporate "Presence":
Is It Revived by *Burnham*?
Steven Mathew Wald 187

Issue Number 2**ARTICLES**

- Personal Liability For Corporate Participants Without Corporate Veil-Piercing: Louisiana Law
Glenn G. Morris 207
- Affirmative Action and the New Discrimination: A Reply to Duncan Kennedy
John Hasnas 263
- Maintaining Safety and Civility in Public Spaces: A Constitutional Approach to Aggressive Begging
Robert Teir 285
- Restitution for Intangible Gains
Paul T. Wangerin 339

COMMENTS

- The Conditional Sale in Louisiana Jurisprudence: Anatomy of a Synecdoche
Huey L. Golden 359
- We Left Them Off the List—Now What? Unscheduled Creditors in Chapter 7 Bankruptcies
J. Neal Prevost 389
- Federal Question Jurisdiction: Must a Defendant Have Minimum Contacts with the State Whose Long-Arm Statute is Used to Serve Process?
Lisa Rouchell 407

NOTES

- The Supreme Court Attempts to "Iron Out" the Wrinkles in *National Starch*
John Paul LeBlanc 437
- Asbestosis Litigation: Prescription, Contribution, Exposure, Insurance, and the Public Interest—A Casenote on *Cole v. Celotex Corp.*
George Robertson Murphy, III 467

Issue Number 3**DEDICATION**

- Retirement of George Willard Pugh, Julius B. Nachman Professor of Law, Louisiana State University
Lee Hargrave and Frank L. Maraist 489

Career and Bibliography of George Willard Pugh	491
--	-----

ARTICLE

Louisiana Conflicts Law: Two "Surprises"	
<i>Symeon C. Symeonides</i>	497

FORUM JURIDICUM

Article 2324: The Discombobulating State of Solidarity in Post Tort Reform Louisiana	
<i>Thomas C. Galligan, Jr.</i>	551
Tort Immunity Revisited: What is the Present Test for Statutory Employer?	
<i>Janice M. Church</i>	587

REVIEW OF RECENT DEVELOPMENTS: 1992-1993

Bankruptcy	
<i>Judge Louis M. Phillips and Diane Sciacca</i>	599
Insurance	
<i>W. Shelby McKenzie and H. Alston Johnson</i>	651
Louisiana Civil Procedure	
<i>Howard W. L'Enfant</i>	667
Louisiana Constitutional Law	
<i>John Devlin</i>	683
Matrimonial Regimes	
<i>Lee Hargrave</i>	733
Mineral Rights	
<i>Patrick H. Martin</i>	747
Obligations	
<i>Bruce V. Schewe and Kent A. Lambert</i>	763
Professional Responsibility	
<i>Warren L. Mengis</i>	777
Security Devices	
<i>Thomas A. Harrell</i>	791

Torts

William E. Crawford 807

Workers' Compensation

H. Alston Johnson 817

BOOK REVIEW

The Louisiana Civil Code: A European Legacy for the United States

Robert A. Pascal 827

Issue Number 4

DEDICATION

Dedication: Donald Theodore Trautman

Arthur T. von Mehren 833Some Thoughts on Choice of Law, Judicial Discretion,
and the ALI's Complex Litigation Project*Donald T. Trautman* 835

INTRODUCTION

The ALI's Complex Litigation Project: Commencing
the National Debate*Symeon C. Symeonides* 843Appendix: American Law Institute Complex Litigation
Project: Proposed Final Draft

881

ARTICLES

Interstate Consolidation: A Comparison of the ALI Project
with the Uniform Transfer of Litigation Act*Edward H. Cooper* 897The Complex Litigation Project's Tort
Choice-of-Law Rules*Friedrich K. Juenger* 907The Choice-of-Law Dispute in Comprehensive Environmental
Coverage Litigation: Has Help Arrived from the American
Law Institute Complex Litigation Project?*Peter J. Kalis**James R. Segerdahl**John T. Waldron, III* 925The Conflicts Provisions of the ALI's Complex Litigation
Project: A Glass Half Full?*P. John Kozyris* 953

Unfinished Symphony: The Complex Litigation
Project Rests

Linda S. Mullenix 977

Choice of Law in Air Disaster Cases: Complex Litigation
Rules and the Common Law

James A. R. Nafziger 1001

The Complex Litigation Project's Proposal for Federally-
Mandated Choice of Law in Mass Tort Cases: Another
Assault on State Sovereignty

Robert A. Sedler 1085

Section 6.01 of the ALI's Complex Litigation Project:
Function Follows Form

David E. Seidelson 1111

Reform Aspirations of the Complex Litigation Project

Gene R. Shreve 1139

The ALI's Complex Litigation Project: A State
Judge's View

Herbert P. Wilkins 1155

Issue Number 5

ARTICLES

The American Constitutional Experience: Remarks of the Chief Justice

William H. Rehnquist 1161

Civil Liability for Abuse of Right: Something Old, Something New. . .

A.N. Yiannopoulos 1173

Reconstructing the Grounds for Interdiction

Jeanne Louise Carriere 1199

Developments in Lease Law 1992-1993

Richard D. Moreno 1237

A Civil Law to Common Law Dictionary

N. Stephan Kinsella 1265

COMMENTS

Admissibility of Expert Testimony After *Daubert* and *Foret*: A Wider
Gate, A More Vigilant Gatekeeper

Bonnie J. Davis 1307

- When Appearance Matters: Reapportionment Under the Voting Rights Act and *Shaw v. Reno*
Tricia Ann Martinez 1335
- Louisiana and the Justification for a Protective Frisk for Weapons
John P. Murrill 1369

NOTES

- Woodlawn Park Limited Partnership v. Doster Construction Company, Inc.*: Disclosing Undisclosed Agency Law in Louisiana
Thomas P. LeBlanc 1395
- The Battle of Removal—Is Delay the Ultimate Weapon?: A Note on *Martine v. National Tea Company*
Gordon D. Polozola 1419

BOOK REVIEW

- Louisiana Legal Memoirs: Law in the Cajun Nation
Paul R. Baier 1443

Issue Number 6

THE CIVIL RIGHTS ACT OF 1991: A SYMPOSIUM

- Introduction: A Brief Legislative History of the Civil Rights Act of 1991
Roger Clegg 1459
- Enforcement Issues: A Practical Overview
Glen D. Nager
Julia M. Broas 1473
- Disparate Impact: History and Consequence
C. Boyden Gray 1487
- The Bar Against Challenges to Employment Discrimination Consent Decrees: A Public Choice Perspective
John O. McGinnis 1507
- Alternative Dispute Resolution of Employment Discrimination Claims
R. Gaull Silberman
Susan E. Murphy
Susan P. Adams 1533
- Congressional Self-Exemption from the Employment Discrimination Laws: A Rational Choice Analysis of the Civil Rights Act of 1991
Nelson Lund 1559

Epilogue: Civil Rights in the Eighties and Nineties

Roger Clegg 1605

ARTICLES

Recent Developments in the Law of Joint and Several Liability and
the Impact of Plaintiff's Employer's Fault*Edward J. Kionka* 1619

COMMENTS

Solidary Liability in Louisiana Tort Law, Article 2324:
Amendments and Ambiguities*Chris J. LeBlanc* 1637Fixing the Right of Passage from an Enclosed Estate: Deciding
Where to Break Out Using Louisiana Civil Code Article 692*C. Sherburne Sentell, III* 1659

NOTES

Reves v. Ernst & Young: Is RICO Corrupt?*J. Todd Benson* 1685Fraying the Hangman's Knot?: *State v. Michael Owen Perry**David P. S. Charitat* 1701Analyzing Seizures Under the Louisiana Constitution After *State v.*
Tucker: A Different Perspective*Trevor V. Davis* 1731*State Farm Mutual Automobile Insurance Co. v. Azhar*: Protecting
the New Victims of "Hit and Run" in Underinsured Motorist
Coverage—Insurance Companies*James Thomas Rivera* 1743*Daigle v. Clemco Industries*: Panacea or Pandora's Box?*Charles F. Seemann III* 1771

